1	LEON DAYAN (State Bar No. 153162)	
2	ABIGAIL V. CARTER* RAMYA RAVINDRAN*	
2	LANE M. SHADGETT*	
3	J. ALEXANDER ROWELL* BREDHOFF & KAISER P.L.L.C.	
4	805 Fifteenth Street NW, Suite 1000	
5	Washington, DC 20005 Telephone: (202) 842-2600	
5	Facsimile: (202) 842-1888	
6	ldayan@bredhoff.com	
7	acarter@bredhoff.com rravindran@bredhoff.com	
	lshadgett@bredhoff.com	
8	arowell@bredhoff.com	
9	*Application <i>pro hac vice</i> forthcoming	
	Daniel Feinberg, SBN 135983	
10	Catha Worthman, SBN 230399 Anne Weis, SBN 336480	
11	FEINBERG, JACKSON, WORTHMAN	
10	& WASOW, LLP	
12	2030 Addison Street, Suite 500 Berkeley, CA 94704	
13	Tel. (510) 269-7998	
1.4	Fax (510) 269-7994	
14	dan@feinbergjackson.com catha@feinbergjackson.com	
15	anne@feinbergjackson.com	
16	Attorneys for Plaintiffs	
17	UNITED STATES DISTRICT COURT	
18	NORTHERN DISTRICT OF CALIFORNIA	
19	SAN FRANCISCO DIVISION	
20		1
20	AMERICAN FEDERATION OF	Case No.: 3:25-cv-03070-JD
21	GOVERNMENT EMPLOYEES, AFL-CIO, et al.,	
22		DECLARATION OF CHARLES
22	Plaintiffs,	BARCLAY
23	v.	
24		
25	DONALD J. TRUMP, in his official capacity as President of the United States, et al.,	
23	Tresident of the Officer States, et al.,	
26	Defendants.	
27		
28		I
Case	No De 21an avir 0307 Charles Barclay	
	Desimilation of Charles Dulotay	

Case No. 3:25-cv-03070-JD

## **DECLARATION OF CHARLES BARCLAY**

I, Charles Barclay, declare as follows:

- 1. I am over 18 years of age and competent to give this declaration. This declaration is based on my personal knowledge, information, and belief.
- 2. I am a Heavy Mobile Equipment Mechanic in the Department of the Army, in the Department of Defense. I work at the Anniston Army Depot in Anniston, Alabama. I have worked here for 21 years. My job is to refurbish and maintain Army equipment and vehicles.
- 3. I am the President and a member of the American Federation of Government Employees Local 1945 ("Local 1945" or the "Union"). I have been the President for nine years. I have been a member of the Union since 2004.
- 4. Local 1945 represents a bargaining unit of about 2800 civil servants who work in the Anniston Army Depot. These employees include mechanics, machinists, welders, carpenters, electricians, mechanics, painters, painter helpers, expediters, forklift operators, 18-wheel truck operators, and others. operators, security, fireman, police. It is my understanding that the March 27, 2025 Executive Order titled "Exclusions from Federal Labor Management Relations Programs" ("Exclusion Order") covers all of the workers in Local 1945's bargaining unit other than firefighters and police. I do not agree with the idea that collective bargaining rights for these workers causes a national security problem. We have had collective bargaining agreements with the Army since before 1998.
- 5. Local 1945's mission is to advocate for and promote the interests of bargaining unit members in their federal employment, including working for a safe and fair workplace for all members. As the exclusive bargaining representative of these workers, the Union provides many services to all bargaining unit members. Core functions of the Union include collective bargaining with the agency to obtain a fair and reasonable collective bargaining agreement ("CBA"); filing and negotiating grievances against the agency to enforce the terms and conditions of the CBA; pursuing arbitrations on behalf of workers to enforce the CBA; and providing other support, guidance, and resources to bargaining unit employees.

- 6. The Exclusion Order will have an immediate adverse effect on the Union's ability to provide these services to unit members and to accomplish its mission. The Exclusion Order will also have an immediate adverse impact on workers in the bargaining unit.
- 7. If the Union is no longer the exclusive bargaining representative of the unit, the Union cannot enforce the CBA against the agency. The CBA provides important rights and protections to workers. For instance, the CBA:
  - a. Sets terms and conditions for working hours, overtime, sick leave, holidays, and paid time off for workers in the unit.
  - b. Imposes safety and health requirements to ensure the welfare of workers in their place of employment.
  - c. Establishes protections for workers regarding reduction-in-force ("RIF") actions and procedures.
  - d. Imposes procedures for and limitations on disciplinary and adverse actions against workers.
  - e. Provides for an Employee Assistance Program for individuals who have problems associated with alcohol, drug, marital, family, legal, financial, stress, attendance, and other personal concerns.
  - f. Establishes grievance and arbitration procedures for employees and the Union to resolve disputes with the agency over employment matters.
  - g. Provides for official time, which allows bargaining unit employees to perform union representation activities during certain amounts of time the employee otherwise would be in a duty status, without loss of pay or charge to annual leave.
- 8. Without the Union to represent workers and enforce the CBA, workers will not have the benefit of those rights and protections going forward. I understand that the agency is also likely to rescind the CBA under the Exclusion Order, which will deprive the Union of the binding contract that it negotiated.

- 9. Official time and space are very important to the Union's work. It is through official time and space that we work with the agency on safety issues, OHSA policies, voluntary protection programs, grievances, arbitrations, Family Medical Leave Act issues, workers compensation claims and so on. It is also how we help the agency with efficiency and improving the performance and conduct of workers. If official time and space are denied by the Exclusion Order, the Union will not be able to perform these tasks well, and likely will not be able to perform them at all.
- 10. Ending exclusive representation by the Union harms not just the Union and its members, but also the agency and the local community. We have had a collaborative relationship with agency management, and have worked successfully with them on things like addressing substance abuse issues among the workforce. Revoking the CBA will leave the agency without the rules and procedures that were negotiated by both parties and that benefit both the agency and the Union. The Union is also very involved in the local Anniston community. It is a member of the Chamber of Commerce; it donates to schools and to programs to provide meals to homeless and low-income people; it contributes to scholarships and sponsorships in the community. If the Union ceases to operate, it could not continue to provide those benefits to the community.
- 11. The Exclusion Order is impacting workers' speech and union activity. I am terrified, and I know other workers are terrified, that the basic guardrail of fairness under the law no longer applies—federal union members are not being treated equally to other federal workers based on performance or conduct or merit, but instead are being punished based on our association with the union or political views.

I declare under penalty of perjury under the laws of the United States that the foregoing is true and correct. Executed April 1, 2025, in Anniston, Alabama.

Charles Barclay

Charles Barclay